

Message Text

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63

ACTION ARA-10

INFO OCT-01 ISO-00 DHA-02 ORM-02 VO-03 SCA-01 L-03 INSE-00

SP-02 IO-11 /035 W

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P R 122100Z JAN 76

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC PRIORITY 6530

INFO AMEMBASSY LIMA

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FOR ASSISTANT SECRETARY ROGERS FROM AMBASSADOR POPPER

EO 11652: NA

TAGS: SHUM, PE, CI

SUBJ: PAROLE PROGRAM PROBLEMS

REF: STATE 6727

1. YOUR TELEGRAM UNDER REFERENCE WAS RECEIVED JAS AS THIS TELEGRAM HAD BEEN PRPARED FOR TYPING. I FIND THAT OUR MESSAGE ACCORDS IN PART WITH YOUR THOUGHTS, AND TRANSMIT IT AS DRAFTED AS A BASIS FOR FURTHER EXCHANGES. WILL COMMUNICATE FURTHER, SHORTLY.

2. THE EMBASSY IS AWARE OF CONCERN IN WASHINGTON REGARDING THE DELAYS WE HAVE ENCOUNTERED IN PROCESSING CHILEAN DE-TAINEES FOR ADMISSION TO THE UNITED STATES ON PAROLE. WE FULLY SHARE THIS CONCERN. WE HAVE BEEN DISMAYED AT THE FACT THAT SIX MONTHS OF WORK HAVE SO FAR RESULTED IN THE TRAVEL TO THE UNITED STATES UNDER THE PROGRAM OF ONLY TEN PRINCIPALS AND 17 DEPENDENTS. THIS SEEMS A MEAGER RETURN FOR THE LABORS OF A STAFF WHICH AT FULL STRENGTH CONSISTS OF TWO FULL-TIME CONSULAR OFFICERS AND ONE INS OFFICER, AND AMERICAN SEC-RETARY AND TWO LOCAL EMPLOYEES--NOT TO SPEAK OF CONSIDERABLE EFFORT BY MISSION MANAGEMENT, POLITICAL, ADMINISTRATIVE AND SECURITY PERSONNEL, AND THE WORK OF WASHINGTON AGENCIES.

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3. THE OPERATION HAS NOT MOVED SLOWLY BECAUSE OF INEFFICIENCY OR LACK OF HUMANITARIAN CONCERN. THE PERSONNEL INVOLVED HAVE WORKED VERY HARD, AND THE PROCEDURES ESTABLISHED ON THE AMERICAN SIDE ARE WELL DESIGNED. WE WOULD WELCOME THE OPPORTUNITY TO EXPLAIN THEM TO INTERESTED INDIVIDUALS IN WASHINGTON, AS WE DID TO ARA EXECUTIVE DIRECTOR ACKERMAN SOME WEEKS AGO.

4. IT MAY BE HELPFUL TO EXAMINE THE BASIC PROBLEM UNDER A NUMBER OF HEADINGS: HOW DO WE OPERATE? WHY DOES THE PROGRAM MOVE SO SLOWLY? WHAT CAN BE DONE TO SPEED UP OR EXPAND THE PROGRAM?

5. HOW WE OPERATE. OUR PROCEDURES MUST NECESSARILY MESH WITH THOSE OF INTERESTED GOC AGENCIES AND OF THE INTERNATIONAL ORGANIZATION WHICH HAS BEEN ENGAGED IN MOVING CHILEAN POLITICAL DETAINEES INTO EXILE FOR ALMOST AS LONG AS THE JUNTA HAS BEEN IN EXISTENCE. ESSENTIALLY, WE WORK (LIKE 26 OTHER COUNTRIES) THROUGH THE INTERMEDIARY OF THE INTER-GOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION (ICEM), WHICH SEEKS OUT THOSE CHILEAN DETAINEES WHO ARE INTERESTED IN PROCEEDING TO THE UNITED STATES AND HAVE SOME PROSPECT OF OBTAINING CHILEAN EXILE DECREES. ICEM OFFICERS OBTAIN THE EXTENSIVE FACTUAL INFORMATION REQUIRED OF EACH CANDIDATE, FOR OUR USE.

6. UPON CONCLUSION OF SECURITY CHECKS AND OTHER ARRANGEMENTS MADE BY US OFFICIALS IN SANTIAGO AND WASHINGTON, ICEM SUPERVISES THE PHYSICAL TRANSFER TO THE UNITED STATES OF THE INDIVIDUALS ADMITTED. BEFORE THIS PROCESS CAN BE COMPLETED, THE EMBASSY MUST, PURSUANT TO THE SECURITY REQUIREMENTS OF US LAW AND REGULATIONS, REVIEW THE PERSONAL DATA AND INVESTIGATE THE PRIOR ACTIVITIES OF EACH DETAINEE AND DETERMINE WHETHER HE SHOULD BE RECOMMENDED TO WASHINGTON FOR ADMISSION UNDER THE CRITERIA OF THE PAROLE PROGRAM. TO DO THIS MOST EFFECTIVELY, WE HAVE SOUGHT MATERIAL ON EACH DETAINEE FROM THE CHILEAN POLICE AND SECURITY AUTHORITIES, AND HAVE CARRIED OUT A PERSONAL INTERVIEW BY A US OFFICIAL. THEREUPON, USING ANY INFORMATION IN OUR OWN FILES AS WELL, THE CONSULAR OFFICER AND THE INS OFFICER CONCERNED MAKE SEPARATE RECOMMENDATIONS WITH RESPECT TO ADMISSION. COMMUNISTS, TERRORISTS, LIMITED OFFICIAL USE

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AND CERTAIN OTHER CATEGORIES MUST BE REJECTED. IF WASHINGTON APPROVAL IS RECEIVED (FROM STATE AND INS), AND WHEN A US SPONSOR HAS BEEN OBTAINED, ICEM CAN THEN PROCEED TO ARRANGE FOR THE DETAINEE'S DEPARTURE--PROVIDED HE STILL WISHES TO GO AND HAS NOT MEANWHILE ACCEPTED AN OFFER OF ASYLUM FROM ANOTHER COUNTRY.

7. REFERRING TO OUR LATEST WEEKLY STATUS REPORT

(SANTIAGO 187 IT WILL BE OBSERVED THAT ICEM HAD SUBMITTED A TOTAL OF 293 NAMES TO US FOR CONSIDERATION FOR THE PROGRAM. ROUGHLY HALF OF THESE--151 PERSONS-- WERE SUBSEQUENTLY

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ACTION ARA-10

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P R 122100Z JAN 76

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC PRIORITY 6531

INFO AMEMBASSY LIMA

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REMOVED FROM ACTIVE CONSIDERATION. IT IS INTERESTING TO NOTE HOW THIS HAS HAPPENED. SEVENTY-SIX OF THE 151 CHOSE TO GO TO COUNTRIES OTHER THAN THE UNITED STATES. (SINCE INTERNAL SECURITY DETAINEES IN CHILE ARE ALMOST ENTIRELY OF VARIOUS LEFTIST PERSUASIONS, THIS IS NOT DIFFICULT TO UNDERSTAND. OFFICERS WHO INTERVIEW DETAINEES BELIEVE THEIR PRIORITIES ARE: (A) TO BE RELEASED FROM PRISON; (B) GO TO THE FIRST COUNTRY THAT OFFERS THEM THIS RELEASE; OR (C) IN GENERAL GO TO A COUNTRY OTHER THAN THE U.S. IF THERE IS A CHOICE. BEFORE THEY CHOSE OTHER COUNTRIES, 62 OF THE 76 HAD BEEN INTERVIEWED AND PROCESSED BY OUR OFFICERS--AT A CONSIDERABLE OUTLAY OF TIME AND EFFORT. OF THE 151 INACTIVE CASES, MOREOVER, 26 REPRESENT REFUSALS PURSUANT TO SECTION 212(A) (28) OF THE IMMIGRATION ACT. THE OTHERS FELL BY THE WAYSIDE FOR VARIOUS REASONS, OR WERE ISSUED PAROLE DOCUMENTS (13).

8. WHY THE DELAYS? OUR STATUS REPORT SHOWS THAT 142 PERSONS, WITH 294 DEPENDENTS, ARE ACTIVE CASES CURRENTLY BEING PROCESSED. NINETY-FIVE OF THESE CASES ARE STILL AWAITING SECURITY CLEARANCES, OR (SOME 40 CASES) RECOMMENDATION OF TDY INS OFFICER. DESPITE OUR REQUESTS FOR QUICK ACTION, ONE OF THE LOCAL CLEARANCES MAY REQUIRE AS MUCH AS FIVE WEEKS OF WAITING TIME; FURTHER, WE HAVE

JUST BEEN INFORMED THAT BECAUSE OF AN IMPENDING CHANGE OF COMMAND IN THE OFFICE INVOLVED, IT WILL SUSPEND ACTION ON 42 PENDING CASES FOR THREE WEEKS. THE BACKLOG OF INS LIMITED OFFICIAL USE

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RECOMMENDATIONS RESULTED FROM THE MONTH'S HIATUS IN THE ASSIGNMENT OF A TDY OFFICER. THE NEW TDY INS OFFICER ARRIVED JANUARY 8 AND IS ATTACKING HIS CASES.

9. ANOTHER BOTTLENECK IS CREATED BY THE TIME REQUIRED FOR WASHINGTON CONSIDERATION AND ACTION. AS OF JANUARY 9, 1976, 36 CASES WERE IN THIS CATEGORY. MOST HAD BEEN SUBMITTED TO THE DEPT BETWEEN TWO WEEKS AND THREE MONTHS EARLIER; 16 OF THESE WERE SUBMITTED WITH NEGATIVE RECOMMENDATIONS. OBVIOUSLY, THEN, THE GAP OF A MONTH IN ASSIGNMENT OF INS OFFICER, SECURITY INVESTIGATIONS IN CHILE, AND PROCEDURAL COMPLEXITIES IN WASHINGTON ACCOUNT FOR A MAJOR PORTION OF THE DELAY IN PROCESSING APPLICANTS FOR PAROLE.

10. WHAT CAN BE DONE TO SPEED UP OR EXPAND THE PROGRAM; SINCE SO MANY COUNTRIES HAVE BEEN ENGAGED FOR MANY MONTHS LONGER THAN WE IN RESETTLING DETAINEES ENTITLED TO EXILE DECREES, WE HAVE THOUGHT IT UNLIKELY THAT OUR PRESENT CASELOAD WOULD BE FURTHER ENLARGED VERY RAPIDLY OR APPRECIABLY BY ICEM. WHILE THIS SITUATION MAY CHANGE (SANTIAGO 0162), UNTIL IT DOES SO WE DOUBT THAT UNDER PRESENT GUIDELINES WE WILL HAVE ENOUGH CASES REFERRED TO US DURING THE CALENDAR YEAR TO REACH THE TARGET OF 300 DETAINEES, PLUS DEPENDENTS, ORIGINALLY ESTABLISHED. AS INDICATED ABOVE, THIS WILL BE TRUE IN LARGE PART BECAUSE SO MANY OF THE DETAINEES WHO ARE WILLING TO GO INTO EXILE PREFER OTHER COUNTRIES, AND ALSO BECAUSE WE ARE UNABLE TO ADMIT CERTAIN PERSONS FOR SECURITY OR OTHER REASONS.

11. AS FAR AS WE KNOW, THE TARGET OF 300 WAS SET MORE OR LESS ARBITRARILY. IF THE FIGURE HAS NO PARTICULAR SANCTITY THE DEPARTMENT SHOULD CONSIDER WHETHER IT WOULD BE WILLING TO LIVE WITH A SMALLER NUMBER, SHOULD A SUFFICIENT NUMBER OF QUALIFIED CANDIDATES NOT COME FORWARD UNDER EXISTING GROUND RULES.

12. OR PROSPECT FOR APPROACHING THE FIGURE OF 300 WOULD BE IMPROVED IF WE COULD RELAX SOME OF THE RESTRAINTS UNDER WHICH WE ARE OPERATING. IN SANTIAGO 8616 WE REQUESTED AUTHORITY TO CONTINUE PROCESSING INDIVIDUALS ON OUR ACTIVE LIST WHO WERE RELEASED IN THE TWO AMNESTIES PROCLAIMED BY PRESIDENT PINOCHET AT THE END OF THE YEAR. SO FAR WE HAVE HAD ONLY A LIMITED OFFICIAL USE

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PARTIAL RESPONSE. WE COULD ALSO EXAMINE FOR INCLUSION IN THE PROGRAM INDIVIDUALS WHO HAD BEEN DETAINED AND ARE ENJOYING CONDITIONAL LIBERTY, OR EVEN FULL LIBERTY, BUT WHO HAVE REASON TO BELIEVE THAT THEY REMAIN IN JEOPARDY. WE MUST STATE THAT IN MANY CASES IT WOULD BE DIFFICULT TO ESTIMATE THE EXTENT TO WHICH SUCH APPLICANTS WERE MOTIVATED BY ECONOMIC OR OTHER FACTORS RATHER THAN BY PERSECUTION ON POLITICAL GROUNDS. BE WE WOULD HOPE WE WOULD AT LEAST BE AUTHORIZED TO CONTINUE TO WORK WITH ANY INDIVIDUALS WHOSE NAMES WERE GIVEN TO US WHILE THEY WERE STILL UNDER DETENTION.

13. OVER TIME, OUR PRESENT PIPELINE-THOSE CASES UNDER ACTIVE CONSIDERATION--WILL BEGIN TO PRODUCE PAROLEES IN LARGER NUMBERS. WE WILL DO EVERYTHING WE CAN TO KEEP THIS PROCESS MOVING EXPEDITIOUSLY. ONE THING I BELIEVE WE SHOULD WEIGH WITH VERY GREAT CARE IS WHETHER WE SHOULD MAKE ANY FORMAL, POLITICAL LEVEL REQUEST TO THE GOC URGING IT TO EXPEDITE ITS PROCEDURES. WE THINK IT WOULD BE UNFORTUNATE FOR THE US TO BE PUT IN THE POSITION OF "DEMANDEUR" AT A TIME WHEN CHILEAN AUTHORITIES ARE SO OBVIOUSLY SMARTING FROM THE REBUFFS THEY THINK THEY HAVE RECEIVED FOR THE USG IN RECENT MONTHS. BUT THIS DOES NOT FORECLOSE ALL POSSIBILITY OF APPROACHING THE GOC. AND WE WILL OF COURSE CONTINUE AT OPERATIONAL LEVELS TO ENCOURAGE GOC AGENCIES TO WORK AS QUICKLY AS THEY CAN.

14. WE WOULD WELCOME DEPARTMENT'S REACTIONS TO FOREGOING AND WILL CONTINUE TO DO ALL WE CAN TO EXPIDE FLOW OF PAROLEES.
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